

## Zero-Based Regulation Prospective Analysis

Fill out entire form to the best of your ability, unless submitting a Notice to  
Negotiate only fill out 1, 2, and 5

**Agency Name:** Idaho Department of Lands

**Rule Docket Number:** 20-0303-2301

IDAPA 20.03.03, Rules Governing Administration of the Reclamation Fund

### 1. What is the specific legal authority for this proposed rule?

Statute Section (include direct link)	Is the authority mandatory or discretionary?
<a href="#">Idaho Code Title 47, Chapter 18</a> – Financial Assurance	Discretionary
<a href="#">Idaho Code § 58-104(6)</a> – State Land Board – Powers and Duties	Discretionary
<a href="#">Idaho Code 58-105</a> – Director	Discretionary

### 2. Define the specific problem that the proposed rule is attempting to solve? Can the problem be addressed by non-regulatory measures?

IDAPA 20.03.03 provides consistent guidance for implementation of the Reclamation Fund. The proposed changes seek to comply with Executive Order 2020-01.

### 3. How have other jurisdictions approached the problem this proposed rule intends to address?

#### a. Is this proposed rule related to any existing federal law?

Federal citation	Summary of Law (include direct link)	How is the proposed Idaho rule more stringent? (if applicable)

**b. How does this proposed rule compare to other state laws?**

State	Summary of Law (include direct link)	How is the proposed Idaho rule more stringent? (if applicable)
Washington		
Oregon		
Nevada		
Utah		
Wyoming		
Montana		
Alaska		
South Dakota		

**c. If the Idaho proposed rule has a more stringent requirement than the federal government or the reviewed states, describe the evidence base or unique circumstances that justifies the enhanced requirement:**

**4. What evidence is there that the rule, as proposed, will solve the problem?**

**5. What is the anticipated impact of the proposed rule on various stakeholders? Include, how will you involve them in the negotiated rulemaking process?**

Category	Potential Impact
Fiscal impact to the state General Fund, any dedicated fund, or federal fund	No impact to the dedicated Reclamation Fund or the General Fund is anticipated.
Impact to Idaho businesses, with special consideration for small businesses	No impacts to businesses are anticipated.
Impact to any local government in Idaho	No impact to local government is anticipated.

**6. What cumulative regulatory volume does this proposed rule add?**

Category	Impact
Net change in word count	
Net change in restrictive word count	